

REGULAR MONTHLY MEETING OF BERKELEY COUNTY COUNCIL

May 24, 2010

The **Regular Monthly Meeting of Berkeley County Council** was held on Monday, **May 24, 2010**, at 7:55 p.m., in the Assembly Room of the Berkeley County Administration Building, 1003 Highway 52, Moncks Corner, South Carolina.

PRESENT: Mr. Daniel W. Davis, Supervisor, Chairman; Mr. Caldwell Pinckney, Jr., Council Member District No. 7, Vice Chairman; Mr. Phillip Farley, Council Member District No. 1; Mr. Timothy J. Callanan, Council Member District No. 2; Mr. Robert O. Call, Jr., Council Member District No. 3; Mrs. Cathy S. Davis, Council Member District No. 4; Mr. Dennis L. Fish, Council Member District No. 5; Mr. Jack H. Schurlknight, Council Member District No. 6; Mr. Steve C. Davis, Council Member District No. 8; Ms. Nicole Scott Ewing, County Attorney; and Ms. Barbara B. Austin, Clerk of County Council.

In accordance with the Freedom of Information Act, the electronic and print media were duly notified.

CALL TO ORDER

Chairman Daniel Davis called the meeting to order.

APPROVAL OF MINUTES

Chairman Daniel Davis asked for approval of minutes from a Public Hearing on the Burntwood Community Development Block Grant and Special Meeting of Council held April 12, 2010, and Public Hearings for Bills Numbered 10-03 and 10-04, and a Regular Meeting of Council held April 26, 2010.

It was moved by Council Member Schurlknight and seconded by Council Member Fish to **approve** the **minutes** as presented. The motion passed by unanimous voice vote of Council.

PUBLIC DISCUSSION – none

EXECUTIVE SESSION – none

CHAIRMAN OF COUNTY COUNCIL

THIRD READING

“BILL NO. 10-05, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARD TO A RECLASSIFICATION OF APPROVED USES FOR TMS #221-00-00-137, #221-00-00-062, #221-00-00-083, #221-00-00-092, #221-00-00-087, #221-00-00-089, #221-00-00-145, #221-16-01-019, #221-16-01-020, #221-16-01-022 AND #221-16-01-038.”

(MeadWestvaco)

It was moved by Council Member Cathy Davis and seconded by Council Member Schurlknight to **approve Bill No. 10-05 for Third Reading.** The motion passed by unanimous voice vote of Council. (A copy of Ordinance No. 10-05-06 is attached to these minutes.)

“BILL NO. 10-06, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARD TO A RECLASSIFICATION OF APPROVED USES FOR TMS #051-00-00-010.”

(Wash & Lizzie Johnson)

It was moved by Council Member Pinckney and seconded by Council Member Call to **approve Bill No. 10-06 for Third Reading.** The motion passed by unanimous voice vote of Council. (A copy of Ordinance No. 10-05-07 is attached to these minutes.)

“BILL NO. 10-07, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARD TO A RECLASSIFICATION OF APPROVED USES FOR TMS #196-00-00-037.”

(Ashley Surveying for Coleman Dangerfield)

It was moved by Council Member Schurlknight and seconded by Council Member Pinckney to **approve Bill No. 10-07 for Third Reading.** The motion passed by unanimous voice vote of Council. (A copy of Ordinance No. 10-05-08 is attached to these minutes.)

“BILL NO. 10-08, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARD TO A RECLASSIFICATION OF APPROVED USES FOR TMS #087-00-04-059.”

(Lewis Mills)

It was moved by Council Member Schurlknight and seconded by Council Member Pinckney to **approve Bill No. 10-08 for Third Reading.** The motion passed by unanimous voice vote of Council. (A copy of Ordinance No. 10-05-09 is attached to these minutes.)

“BILL NO. 10-09, AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, BERKELEY COUNTY, SOUTH CAROLINA, SETTING RATES, CHARGES AND PENALTIES FOR WATER AND SEWER SERVICE PROVIDED BY THE BERKELEY COUNTY WATER AND SANITATION.”

It was moved by Council Member Callanan and seconded by Council Member Fish to approve Bill No. 10-09 for Third Reading. The motion passed by unanimous voice vote of Council. (A copy of Ordinance No. 10-05-10 is attached to these minutes.)

Berkeley County Council Rules allow all bills to be given Second Reading by one motion as a collective group. Any member may object to a particular bill, and it shall be separated from the collective group and handled by a separate motion.

SECOND READING

“BILL NO. 10-11, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARD TO A RECLASSIFICATION OF APPROVED USES FOR TMS #248-05-01-001 THRU 248-05-01-028 AND ALL COMMON POA AREAS.”

(Mark Wysong)

“BILL NO. 10-12, AN ORDINANCE PROVIDING FOR THE ADOPTION OF FISCAL YEAR 2010-2011 (BEGINNING JULY 1, 2010 AND ENDING JUNE 30, 2011) BUDGETS FOR THE BERKELEY COUNTY WATER AND SANITATION AND THE BERKELEY COUNTY WATER AND SANITATION SOLID WASTE FUND; ESTABLISHING OPERATIONAL, DEBT SERVICE AND CAPITAL IMPROVEMENT BUDGETS FOR WATER AND SEWER; AND TO PROVIDE FOR THE EXPENDITURES OF REVENUES COMING INTO BERKELEY COUNTY WATER AND SANITATION AND THE BERKELEY COUNTY WATER AND SANITATION SOLID WASTE FUND DURING THE FISCAL YEAR, AND TO AMEND THE CODE OF ORDINANCES, BERKELEY COUNTY, SOUTH CAROLINA, SETTING RATES, CHARGES AND PENALTIES FOR WATER AND SEWER AND SOLID WASTE SERVICE BY BERKELEY COUNTY WATER AND SANITATION.”

“BILL NO. 10-13, AN ORDINANCE TO AMEND AND CLARIFY CERTAIN SECTIONS OF ORDINANCE NO. 01-08-35, ADOPTED AUGUST 27, 2001, ZONING AND DEVELOPMENT STANDARDS ORDINANCE, ‘BERKELEY COUNTY ZONING ORDINANCE’ AND AMENDING ORDINANCES NO. 02-08-33, 02-12-58, 04-11-68, 05-03-08, 05-08-58, 06-09-63, 06-12-92, 07-07-43 AND 08-10-63, IN REGARD TO THE PROPOSED OVERLAY DISTRICT FOR PIMLICO SUBDIVISION WITH MAP.”

“BILL NO. 10-14, AN ORDINANCE TO AMEND ORDINANCE NO. 09-07-36, ADOPTED JULY 27, 2009, TO PROVIDE FOR SUPPLEMENTAL APPROPRIATIONS AND ALLOCATIONS THEREOF WITHIN THE 2009-2010 BUDGET FOR BERKELEY COUNTY; AND OTHER MATTERS RELATING THERETO.”

“BILL NO. 10-15, AN ORDINANCE PROVIDING FOR THE FISCAL YEAR BEGINNING JULY 1, 2010 AND ENDING JUNE 30, 2011 FOR THE DEVON FOREST SPECIAL TAX DISTRICT OPERATIONAL BUDGET; AND TO PROVIDE FOR THE

EXPENDITURES OF THE REVENUES RECEIVED BY THE DEVON FOREST SPECIAL TAX DISTRICT DURING THE FISCAL YEAR.”

“**BILL NO. 10-16, AN ORDINANCE PROVIDING FOR THE FISCAL YEAR BEGINNING JULY 1, 2010 AND ENDING JUNE 30, 2011 FOR THE PIMLICO SPECIAL TAX DISTRICT OPERATIONAL BUDGET; AND TO PROVIDE FOR THE EXPENDITURES OF THE REVENUES RECEIVED BY THE PIMLICO SPECIAL TAX DISTRICT DURING THE FISCAL YEAR.**”

“**BILL NO. 10-17, AN ORDINANCE PROVIDING FOR THE FISCAL YEAR BEGINNING JULY 1, 2010 AND ENDING JUNE 30, 2011 FOR THE SANGAREE SPECIAL TAX DISTRICT OPERATIONAL BUDGET; AND TO PROVIDE FOR THE EXPENDITURES OF THE REVENUES RECEIVED BY THE SANGAREE SPECIAL TAX DISTRICT DURING THE FISCAL YEAR.**”

“**BILL NO. 10-18, AN ORDINANCE PROVIDING FOR THE FISCAL YEAR BEGINNING JULY 1, 2010 AND ENDING JUNE 30, 2011 FOR THE TALL PINES SPECIAL TAX DISTRICT OPERATIONAL BUDGET; AND TO PROVIDE FOR THE EXPENDITURES OF THE REVENUES RECEIVED BY THE TALL PINES SPECIAL TAX DISTRICT DURING THE FISCAL YEAR.**”

“**BILL NO. 10-19, AN ORDINANCE PROVIDING FOR THE FISCAL YEAR BEGINNING JULY 1, 2010 AND ENDING JUNE 30, 2011 FOR THE OPERATIONAL BUDGET OF THE BERKELEY COUNTY SPECIAL FIRE TAX DISTRICT WITHIN THE UNINCORPORATED PORTIONS OF BERKELEY COUNTY; AND TO PROVIDE FOR THE EXPENDITURES OF THE REVENUES RECEIVED BY THE SPECIAL FIRE TAX DISTRICT DURING THE FISCAL YEAR.**”

It was moved by Council Member Fish and seconded by Council Member Schurlknight to approve **Bills Numbered 10-11, 10-12, 10-13, 10-14, 10-15, 10-16, 10-17, 10-18 and 10-19** for **Second Reading**. The motion passed by unanimous voice vote of Council.

“**BILL NO. 10-20, AN ORDINANCE PROVIDING APPROPRIATIONS FOR THE FISCAL YEAR BEGINNING JULY 1, 2010 AND ENDING JUNE 30, 2011 FOR BERKELEY COUNTY; TO PROVIDE FOR LEVY OF TAXES ON ALL TAXABLE PROPERTY IN BERKELEY COUNTY FOR ALL COUNTY PURPOSES; TO PROVIDE FOR THE EXPENDITURES OF SAID TAXES AND OTHER REVENUES COMING INTO THE COUNTY FOR THE FISCAL YEAR.**”

Ms. Nicole Ewing, County Attorney: Mr. Chairman, because it (Bill No. 10-20) was not recommended by Committee, it should not be on tonight’s agenda.”

Chairman Daniel Davis: “Ok.”

FIRST READING

Chairman Daniel Davis stated there were three bills for First Reading. *(Bills for First Reading are not discussed or voted upon. The bills are read into the record by title only and, thereafter, sent to the proper Committee for further consideration.)*

“BILL NO. 10-21, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARD TO A RECLASSIFICATION OF APPROVED USES FOR TMS #196-05-00-069 AND #196-05-00-059.”

(Bobby Strickland)

“BILL NO. 10-22, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARD TO A RECLASSIFICATION OF APPROVED USES FOR TMS #047-00-02-042.”

(America’s Home Place, Inc., for Marion McClennon)

“BILL NO. 10-23, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARD TO A RECLASSIFICATION OF APPROVED USES FOR TMS #041-00-05-066.”

(Connie Schuler)

RESOLUTIONS

“RESOLUTION PROVIDING FOR THE TRANSFER OF FUNDS IN THE 2009-2010 BERKELEY COUNTY BUDGET FOR COUNTY PURPOSES OTHER THAN AS SPECIFIED IN SAID BUDGET.”

It was moved by Council Member Schurlknight and seconded by Council Member Pinckney to approve the resolution providing for a transfer of funds in the 2009-2010 budget for Berkeley County. The motion passed by unanimous voice vote of Council. (A copy of Resolution No. 10-21 is attached to these minutes.)

“RESOLUTION PROVIDING FOR THE TRANSFER OF FUNDS APPROPRIATED IN THE 2009-2010 BUDGET FOR BERKELEY COUNTY WATER AND SANITATION FOR PURPOSES OTHER THAN AS SPECIFIED IN SAID BUDGET.”

It was moved by Council Member Fish and seconded by Council Member Callanan to approve the resolution for a transfer of funds in the 2009-2010 budget for Berkeley County Water and Sanitation. The motion passed by unanimous voice vote of Council. (A copy of Resolution No. 10-22 is attached to these minutes.)

“RESOLUTION REPEALING RESOLUTION NO. 10-12 IN ITS ENTIRETY.”

It was moved by Council Member Steve Davis and seconded by Council Member Farley to approve the resolution repealing Resolution No. 10-12 in its entirety. The motion passed by

unanimous voice vote of Council. (A copy of Resolution No. 10-23 is attached to these minutes.)

“RESOLUTION CONSENTING TO THE ISSUANCE OF STATE-ISSUED CERTIFICATE OF FRANCHISE AUTHORITY TO BERKELEY CABLE TV, INC.”

It was moved by Council Member Steve Davis and seconded by Council Member Schurlknight to **approve** the **resolution** consenting to the issuance of state-issued Certificate of Franchise Authority to **Berkeley Cable TV, Inc.** The motion passed by unanimous voice vote of Council. (A copy of Resolution No. 10-24 is attached to these minutes.)

REPORTS FROM STANDING COMMITTEES

Committee on FINANCE

Council Member, Mr. Jack H. Schurlknight, Chairman

Chairman Schurlknight: “Mr. Chairman, the Committee on Finance met on May 11th, May 17th and earlier this night. Many of the matters before the Committee have been addressed earlier on this night’s agenda.”

a. Sheep Island Update

Chairman Schurlknight: “On May 11th, Mr. Ken Seegar with MeadWestvaco, provided the Committee with an update in regard to the Sheep Island Interchange, the Jedburg Interchange and the frontage roads that connect them, as well as Exit 199. No action was required.”

b. GASB 45

Chairman Schurlknight: “On May 17th, HR Director Ms. Nita Turner provided the Committee with information in regard to the GASB 45. Again, no action was required.”

c. Budget Workshop

Chairman Schurlknight: “Also, on May 17th, there was a presentation of the Fiscal Year 2010-2011 Berkeley County Budget. Again, no action was required.”

(That concluded Chairman Schurlknight’s report.)

Committee on LAND USE

Council Member, Mr. Phillip Farley, Chairman

Chairman Farley: “Mr. Chairman, the Committee on Land Use met on May 11th. Many of the matters before the Committee have been addressed earlier on this night’s agenda.”

**CHATS Metropolitan Planning Organization Transportation Enhancement Grant
[Amount of \$59,137.50 with a 20 Percent Match]**

Chairman Farley: “On recommendation of the Committee, I move to approve the application of a CHATS Metropolitan Planning Organization Transportation Enhancement Grant, in the amount of \$59,137.50, with a 20 percent match, in order to build Phase I of a pedestrian connection between the Shell Ring Neighborhood along Saint Thomas Drive to the existing Daniel Island bikeway on Daniel Island Drive.” (No second required.)

The motion passed by unanimous voice vote of Council.

(That concluded Chairman Farley’s report.)

**Committee on PUBLIC WORKS AND PURCHASING
Council Member, Mr. Robert O. Call, Jr., Chairman**

Chairman Call: “Thank you, Mr. Chairman. The Public Works and Purchasing Committee met on May 11th and earlier this evening.”

a. Selection of Vendor for Meter Boxes

Chairman Call: “On recommendation of the Committee, I move to award the contract for Water and Sanitation meter boxes to Southern Utilities for the low bid of \$125.99 per meter box.” (No second required.)

The motion passed by unanimous voice vote of Council.

b. George Wigfall Road Improvements

Chairman Call: “On recommendation of the Committee, I move to award the contract for the George Wigfall Road improvements to Truluck Construction Company, in the amount of \$450,227.25.” (No second required.)

Chairman Daniel Davis: “And, just so everyone knows, this is kind of an exciting project for those of you not here at the Committee Meeting. This is the first, really complete, official project in the One Cent Sales Tax Program. This project is located up in the Cross Community, but it has been on the CTC List, I think, for some 30 or 35 years, and so, this will be the first one under construction. And, we’ll have a little ceremony to celebrate that.”

The motion passed by unanimous voice vote of Council.

c. Independent Auditing Services

Chairman Call: “On recommendation of the Committee, I move to award the contract for the independent auditing service to Greene, Finney and Horton, LLP, for the 2009-2010 fiscal year audit, in the amount of \$93,000.00. The County’s portion of that is \$65,500.00, and the Water and Sanitation Authority is \$27,500.00.” (No second required.)

The motion passed by unanimous voice vote of Council.

d. Security Guard Services

Chairman Call: “On recommendation of the Committee, I move to award the contract for security guard services for the three Berkeley County complexes to Security Forces, Incorporated, in the amount of \$95,586.80.” (No second required.)

The motion passed by unanimous voice vote of Council.

(That concluded Chairman Call’s report.)

**Committee on JUSTICE AND PUBLIC SAFETY
Council Member, Steve C. Davis, Chairman**

Chairman Steve Davis: “Mr. Chairman, the Committee on Justice and Public Safety met on May 11th.”

a. Court House Complex Parking

Chairman Steve Davis: “Our esteemed Clerk of Court, Ms. Mary P. Brown, provided the Committee with information in regards to the Court House complex parking problem. No action was taken that night.”

b. Additional Funding for Purchase of CAD Upgrade for E-911 Addressing

Chairman Steve Davis: “On recommendation of the Committee, I move to approve additional funding for sales tax for the purchase of a CAD upgrade, in the amount of \$20,267.84, to come from the 911 Fund Balance.” (No second required.)

The motion passed by unanimous voice vote of Council.

(That concluded Chairman Steve Davis’ report.)

**Committee on WATER AND SANITATION
Council Member, Mr. Timothy J. Callanan, Chairman**

Chairman Callanan: “Mr. Chairman, the Committee on Water and Sanitation met on May 11th and May 19th. Many of the matters before the Committee have been addressed earlier in this night’s agenda. The meeting on May 19th was a presentation of the Water and Sanitation Budget for Fiscal Year 2010-2011. No action was required that night.”

Transfer of Funds from Various Line Items in Various Departments

Chairman Callanan: “On recommendation of the Committee, I move to approve the transfer of funds for the following: \$20,000.00 from Daily Cover Posy Shell to Engineering Services; \$44,000.00 from Equipment Maintenance to Vehicle Maintenance; \$50,000.00 from Maintenance Contracts and Overtime to System Maintenance Chemical; for a total of \$114,000.00 to be transferred.” *(No second required.)*

The motion passed by unanimous voice vote of Council.

(That concluded Chairman Callanan’s report.)

Committee on PLANNING AND DEVELOPMENT Council Member, Mrs. Cathy S. Davis, Chairman

Chairman Cathy Davis: “Yes, Mr. Chairman. The Committee on Planning and Development met on May 11th.”

Funds for Gatehouse Repair – Cypress Gardens [Funds to come from Contingency]

Chairman Cathy Davis: “On recommendation of the Committee, I move to approve the transfer of funds, in the amount of \$6,000.00 from Contingency, to be used to repair the foundation of the Gatehouse at Cypress Gardens, with further renovations to be requested in next year’s budget.” *(No second required.)*

The motion passed by unanimous voice vote of Council.

(That concluded Chairman Cathy Davis’ report.)

Committee on COMMUNITY SERVICES Council Member, Mr. Caldwell Pinckney, Jr., Chairman

Chairman Pinckney: “Mr. Chairman, the Committee on Community Services met on May 11th.”

Approval to Apply for FAA Grant [Airport Improvements]

Chairman Pinckney: “On recommendation of the Committee, I move to approve the FAA Grant application for the construction of runway rehabilitation, runway lighting and airfield drainage improvement, with 2.5 percent Berkeley County matching funds, not to

exceed \$92,400.00. Matching funds to come through Economic Development. (No second required.)

The motion passed by unanimous voice vote of Council.

(That concluded Chairman Pinckney's report.)

Committee on HUMAN SERVICES
Council Member, Mr. Dennis L. Fish, Chairman

Chairman Fish: "Mr. Chairman, the Committee on Human Services met on May 11th. All matters before the Committee were addressed that night."

(That concluded Chairman Fish's report.)

Chairman Daniel Davis: "Ok; I would like to recognize Mr. Schurlknight for an amendment to his report.

Committee on FINANCE (Amendment to Reportback)

Chairman Schurlknight: "Thank you, Mr. Chairman. I have one more thing we need to bring out of Committee.

Chairman Schurlknight: "On recommendation of the Committee, I move to **deny Bill No. 10-20** which was the budget (for Berkeley County). (No second required.)

Chairman Daniel Davis: "We have a motion. Is there any discussion? Hearing none, all those in favor, say 'Aye'; all opposed, 'Nay'. Let's have a roll call if we could, Madame Clerk."

Council Members voting "Aye": Farley, Callanan, Cathy Davis and Fish.

Council Members voting "Nay": Call, Schurlknight, Pinckney and Steve Davis.

Chairman Daniel Davis: "That's 4/4, and I'll vote 'Nay' as well."

The **motion** to deny Bill No. 10-20 **failed to pass**.

NOMINATIONS FOR MEMBERSHIP ON BOARDS, COMMISSIONS, ETC.

Chairman Daniel Davis: "At this time, we have an opportunity for nominations for membership on boards and commissions. Do we have any? Please..."

Council Member Farley: "Mr. Chairman?"

Chairman Daniel Davis: "Mr. Farley."

Council Member Farley: “I’d like to nominate Richard W. Smith for the Zoning Appeals Board to replace Mike Tucker.”

Chairman Daniel Davis: “Any others?”

There were no other nominations to boards or commissions.

It was moved by Council Member Schurlknight and seconded by Council Member Pinckney to approve the nomination of Mr. Richard W. Smith to the Berkeley County Board of Zoning Appeals. The motion passed by unanimous voice vote of Council.

CORRESPONDENCE – none

UNFINISHED BUSINESS – none

NEW BUSINESS – none

ANNOUNCEMENTS

Chairman Daniel Davis: “The **June 2010 Regular Meeting of Berkeley County Council** will be held on **Monday, June 28, 2010**, immediately following Public Hearings and Committee Meetings that will be held at 6:00 p.m., in the Assembly Room here in this building (1003 Highway 52, Moncks Corner). And, of course, we will have other Committee Meetings on the 14th of June, is that right?”

Ms. Austin responded that to be correct.

ADJOURNMENT

It was moved by Council Member Schurlknight and seconded by Council Member Steve Davis to **adjourn** the Regular Meeting of Council. The motion passed by unanimous voice vote of Council.

Meeting adjourned at 8:13 p.m., for the execution of documents by Council.

PUBLIC DISCUSSION

Public Discussion commenced at 8:23 p.m.

Mr. Donald J. Bailey: “Well, thank you, Mr. Chairman and Members of Council, those who are still with us. My name is Don Bailey, and I’m a resident and registered voter of Berkeley County, South Carolina, and I reside at 151 Old Tree Road in Goose Creek, South Carolina. I am here tonight concerning matters that I believe are embarrassing to Berkeley County and if not addressed will, in fact, haunt this Council and its Members in the weeks and months to come, but before I begin, I would ask that Council hear me and in a bipartisan spirit of cooperation address these issues as statesmen and not as politicians. I believe apologies are in order for things that have been said on both sides of the isle and these things put to rest so that we may move forward and allow for the healing process to begin. However, having said that, anger and/or personal feelings should in no way be an excuse for someone holding a public office to demean, bully, threaten or blackmail a fellow Member of Council or a private citizen. As for me, I do offer my own apology, not for the passion for which I feel regarding these issues, nor for standing up for what I believe to be right, but in the abrasive manner for which I may have been perceived. Too, I make no apology for my attempt to force the resignation of these men based on their conduct and in no way back off of my call for their censure and resignation. For the past several weeks, I’ve been on a campaign to expose what I believe two serious ethical violations as committed by two Members on this Council, Tim Callanan and Dennis Fish. Tonight, I intend to shed some light on the misconduct these men have engaged in to this body, as well as to the assembly of citizens gathered here today and to petition this Council as a citizen of Berkeley County to censure these men. However, first I’d like to ask these men if they were present – no instead – encourage these men to step up to the plate to, in fact, be men and apologize for their acts, and for the good of this County to immediately resign from County Council, thereby, sparing this body, this County, and the people any further embarrassment, so as the business of the people may go forward. However, in the absence of such resignation, I do formally petition Council to censure these men. First being Tim Callanan for the following reasons: did use his office to relay a threat in the form of an e-mail to Councilman Bob Call in an attempt to influence the vote of Bob Call in a redistricting scheme designed to gerrymander Tim Callanan’s District. Second is Dennis Fish. Dennis Fish did use his office to verbally coerce and influence the vote of Councilman Jack Schurlknight in that he did, on February 22, 2010 during a Regular Meeting of Berkeley County Council, threaten to burn Jack’s home to the ground should Jack continue to vote in opposition to him regarding a Council resolution. This act is recorded in the official minutes of County Council and may be heard on the official Council disc at the 50-minute, 32-second point. Council, these grievous acts cannot be ignored. In the absence of these men’s resignation, I do hereby move the County Council censure Councilman Tim Callanan and Councilman Dennis Fish for misconduct in office. Council, you’re the voice of the people. What do you say on this matter? And, other than having some handouts to give to the Members of Council here, may I leave those here?”

Chairman Daniel Davis: “Yeah, if you give them to the Clerk, she’ll get them to us.”

Council Member Call: “Mr. Chairman, may I respond to Mr. Bailey?”

Chairman Daniel Davis: “Mr. Call, go ahead.”

Council Member Call: “I have had two resolutions prepared by our Legal Department. It came to me through the proper channels. And, one resolution is admonishing Councilman

Callanan for violating Berkeley County Council Rules by acting in a disrespectful manner to other members of Council and to members of the public. Also, a resolution admonishing Councilman Dennis Fish for violating Berkeley County Council Rules regarding conduct between Council Members. Those will be forwarded on to the Clerk, and they will be included in our, I'm hopeful, she'll put it in a package for consideration at our next meeting."

Chairman Daniel Davis: "Alright; thank you, Mr. Call."

Mr. Bailey: "Thank you, Mr. Chairman. Thank you, Council."

Chairman Daniel Davis: "Thank you. Mr. Richard Allen?"

Mr. Allen: "I decline, Mr. Chairman, at this time."

Chairman Daniel Davis: Ok; thank you. Alright, anyone wish to address Council at this time? Thank you very much. Good night; good evening; drive carefully."

Public Discussion concluded at 8:28 p.m.

S/Barbara B. Austin, CCC
Clerk of Council

June 28, 2010
Date Approved